

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

06 Civ. 0712 (RJD)

GLOBUS POMORSKA AGENCIJA D.O.O.,

Plaintiffs,

- against -

GLOBAL CONTAINER LINES LIMITED,

Defendant.

REPLY

Plaintiff, by its attorneys, Cichanowicz Callan Keane Vengrow & Textor, LLP, for its reply to the defendant's counterclaim, alleges on information and belief:

1. With respect to the allegations of para. 10, repeats the relevant allegations of its complaint and denies that it (a) owes any amounts to defendant, (b) breached the agreement, or (c) was negligent.
2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of para. 11 except admits that plaintiff offered to provide certain services for which defendant agreed to pay.
3. Denies the allegations of para. 12
4. Denies the allegations of para. 13.

#### AFFIRMATIVE DEFENSE

5. Defendant's counterclaim is barred since defendant alleges at para. 7 of its answer that plaintiff paid anything that was owed to defendant.

WHEREFORE, plaintiff prays for judgment dismissing defendant's counterclaim for the full amounts of its invoices together with interest plus the costs and disbursements of this action.

Dated: New York, NY CICHANOWICZ CALLAN KEANE VENGROW  
April 4, 2006 & TEXTOR, LLP  
61 Broadway, Ste. 3000, New York, NY 10006  
212-344-7042  
Attorneys for Plaintiff

By: s/ Joseph De May, Jr.  
Joseph De May, Jr. [JD-9105]

TO: HEALY & BAILLIE, LLP  
Attorneys for Defendant  
61 Broadway, 32<sup>nd</sup> Fl.  
New York, NY 10006

CERTIFICATE OF SERVICE

JOSEPH De MAY, JR. declares under the penalty of perjury that the following statement is true. On April 4, 2006, the foregoing reply was served on defendant by mailing a true and complete copy of same to its attorneys at their office address as follows:

HEALY & BAILLIE, LLP  
61 Broadway, 32<sup>nd</sup> Fl.  
New York, NY 10006

Dated: New York, NY

April 4, 2006

s/ Joseph De May, Jr.

Joseph De May, Jr. [JD-9105]